

BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000-14<sup>th</sup> STREET, N.W., SUITE 420  
WASHINGTON, D.C. 20009  
(202) 671-0550

IN THE MATTER OF	)	DATE: January 16, 2004
	)	
Linda L. Ripley	)	DOCKET NO.: 03F-066
Supervisory Social Worker	)	
Child and Family Services Agency	)	
14804 Sugarland Road	)	
Poolesville, Maryland 20837	)	

**ORDER**

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of General Counsel following a determination by its Public Information Records Management Division, that pursuant to D.C. Official Code §1-1106.02 (2001 Edition), Linda Ripley, Supervisory Social Worker, Child and Family Services Agency, failed to timely file, a Financial Disclosure Statement for calendar year 2002, on or before May 15, 2003 as required by D.C. Official Code §1-1106.02 and also failed to file on or before the OCF sanctioned extended filing deadline of June 19, 2003.

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 7, 2003, OCF ordered Linda Ripley (hereinafter respondent), to appear at a scheduled hearing on August 18, 2003 and show cause why she should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

**Summary of Evidence**

OCF alleges that the respondent failed to timely file the statutorily required Financial Disclosure Statement for calendar year 2002, on or before June 19, 2003.

On August 22, 2003, OCF received an affidavit from respondent stating that she is a blind individual and that she depends on someone else to sort, read, and, as in this case, to complete a required form for her. Consequently, respondent stated, she cannot be certain that she received notices to file from OCF. Respondent further stated that it appears she was not informed of the filing requirement by her personnel office or agency

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administrator. Respondent is a member of the Management Supervisory Service (MSS). Respondent filed a fully executed FDS with OCF on August 22, 2003.

**Findings of Fact**

Having reviewed the allegations and the record herein, I find:

1. Respondent is a member of the Management Supervisory Service (MSS).
2. Respondent was required to file a Financial Disclosure Statement with OCF for calendar year 2002, on or before June 19, 2003.
3. Respondent is a first-time FDS required filer.
4. Respondent filed the required Financial Disclosure Statement on August 22, 2003.
5. Respondent provided a credible explanation for the filing delinquency in that she is a blind individual who depends on someone else to assist her with her mail and that she cannot be certain whether she received the OCF notices; and in that she believed she was not informed by her agency of the requirement of MSS employees to file an FDS with OCF.
6. Respondent is currently in compliance with the statute.

**Conclusions of Law**

Based upon the record provided by OCF, I therefore conclude:

1. Respondent violated D.C. Official Code §1-1106.02.
2. The penalty established at D.C. Official Code §1-1103.05(b)(3), and 3DCMR §§3711.2(aa), 3711.2 and 3711.4 for failure to timely file a Financial Disclosure Statement required by D.C. Official Code §1-1106.02 is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with D.C. Official Code §1-1103.05(b)(3), the respondent may be fined a maximum of \$2,000.00 for failing to timely file a Financial Disclosure Statement.

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4. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent's explanation for failing to timely file, coupled with her status as a first-time filer, constitutes good cause for suspension of the fine.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of the fine in this matter.

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**Date**

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**Jean Scott Diggs**  
**Hearing Officer**

**Concurrence**

In view of the foregoing, I hereby concur with the Recommendation.

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**Date**

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**Kathy S. Williams**  
**General Counsel**

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that the fine in this matter be hereby suspended.

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Cecily E. Collier-Montgomery**  
**Director**

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing Order.

\_\_\_\_\_  
**Rose Rice**  
**Legal Assistant**

**NOTICE**

Pursuant to 3DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16<sup>th</sup> day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14<sup>th</sup> Street, N.W., Washington, D.C. 20009.